

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES,	)	
	)	
Plaintiff,	)	
Counterdefendant,	)	
	)	
v.	)	Civil Action No. 04-1251 (GMS)
	)	
BAYER HEALTHCARE LLC,	)	
	)	
Defendant,	)	
Counterclaimant.	)	
_____	)	

**ABBOTT LABORATORIES' UNOPPOSED MOTION TO EXTEND TIME**

Abbott Laboratories moves for an order extending by three days the time by which the parties must file the Joint Claim Construction Chart, *i.e.*, from Friday, June 22, 2005 to Wednesday, July 27, 2005. The parties have conferred and Defendant does not oppose this motion.

Pursuant to the Scheduling Order, the parties' opening claim construction briefs are presently due on or before August 12, 2005. Accordingly, the requested extension will leave more than two weeks before the briefs are due, and should not impact or affect the Court's calendar in general, or its schedule for considering claim construction issues in particular.

MORRIS NICHOLS ARSHT & TUNNELL

/s/ James W. Parrett, Jr.

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July 22, 2005  
475551

IT IS HEREBY ORDERED this \_\_\_\_\_ day of July, 2005 that plaintiff's motion for an extension until July 27, 2005 to file the Joint Claim Construct Chart is granted.

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United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on July 22, 2005, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to the following:

James D. Heisman, Esquire CONNOLLY, BOVE, LODGE & HUTZ LLP The Nemours Building 1007 North Orange Street Wilmington, DE 19801
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Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on July 22, 2005 upon the following individuals in the manner indicated:

<b><u>BY HAND</u></b>	<b><u>BY FACSIMILE</u></b>
James D. Heisman, Esquire CONNOLLY, BOVE, LODGE & HUTZ LLP The Nemours Building 1007 North Orange Street Wilmington, DE 19801	Dale M. Heist, Esquire WOODCOCK WASHBURN LLP One Liberty Place, 46 <sup>th</sup> Floor 17 <sup>th</sup> and Market Street Philadelphia, PA 19103

*/s/ James W. Parrett, Jr.*

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James W. Parrett, Jr. (#4292)